

AMENDED IN SENATE JULY 9, 2015

AMENDED IN SENATE JUNE 22, 2015

AMENDED IN ASSEMBLY MAY 28, 2015

AMENDED IN ASSEMBLY APRIL 21, 2015

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 678**

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**Introduced by Assembly Member O'Donnell**

February 25, 2015

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An act to add Chapter 4.3 (commencing with Section 39735) to Part 2 of Division 26 of the Health and Safety Code, relating to greenhouse gases.

### LEGISLATIVE COUNSEL'S DIGEST

AB 678, as amended, O'Donnell. ~~Greenhouse gases: Energy Efficient~~ *Energy Efficiency and Greenhouse Gas Reductions* Ports Program.

Existing law establishes various programs to provide financial assistance for energy efficiency upgrades and investments. Under existing law, the State Air Resources Board has issued regulations to reduce emissions from diesel auxiliary engines on container ships, passenger ships, and refrigerated cargo ships while berthing at a California port. Existing law establishes the Greenhouse Gas Reduction Fund as a special fund in the State Treasury, and requires that all moneys collected by the state board from the auction or sale of specified greenhouse gas allowances, be deposited in the fund and available for appropriation by the Legislature.

This bill would require the state board, in conjunction with the State Energy Resources Conservation and Development Commission, to develop and implement the Energy-~~Efficient~~ *Efficiency and Greenhouse Gas Reductions* Ports Program to fund energy efficiency upgrades and investments at public ports, as described. *The bill would require a port to develop and adopt an energy plan for the port to receive funding under the program for energy-related projects.* The bill would authorize the state board to expend moneys it receives from an appropriation from the fund for the purposes of the bill, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 4.3 (commencing with Section 39735) is added to Part 2 of Division 26 of the Health and Safety Code, to read:

CHAPTER 4.3. ENERGY-~~EFFICIENT~~ *EFFICIENCY AND GREENHOUSE GAS REDUCTIONS* PORTS PROGRAM

39735. (a) The state board, in conjunction with the State Energy Resources Conservation and Development Commission, shall develop and implement the Energy-~~Efficient~~ *Efficiency and Greenhouse Gas Reductions* Ports Program to fund energy efficiency upgrades and investments at public ports that help reduce the emissions of criteria pollutants, toxic air contaminants, and greenhouse gases.

(b) Projects eligible for funding in the program shall include, but are not limited to, the following:

(1) Installation of solar, wind, and other renewable technologies at marine terminals, and warehouses and other freight facilities at the ports.

(2) Replacement of conventional lighting with light emitting diodes (LED) lighting at the ports.

(3) Installation of cold ironing or shorepower equipment, or other emissions control or reduction technologies, on vessels, beyond actions required by regulations, to facilitate reduced emissions from diesel auxiliary engines on container ships,

1 passenger ships, and refrigerated cargo ships while berthing at a  
2 California port.

3 (4) Deployment of zero and near-zero emission vehicles and  
4 infrastructure technologies, including, but not limited to, stationary  
5 fuel cells, energy storage and battery, and electric trucks at  
6 California ports.

7 (5) Other projects that reduce grid-based energy demand from  
8 cargo handling operations at public seaports.

9 (c) The state board, in consultation with the State Energy  
10 Resources Conservation and Development Commission, shall  
11 develop guidelines for the implementation of this chapter that are  
12 consistent with the California Global Warming Solutions Act of  
13 2006 (Division 25.5 (commencing with Section 38500) and Chapter  
14 4.1 (commencing with Section 39710)).

15 *(d) (1) In order to receive funding under this section for*  
16 *energy-related projects, a port shall develop and adopt, in*  
17 *consultation with the respective electric utility providing service*  
18 *to the port, an energy plan for the port.*

19 *(2) The energy plan shall be approved by the State Energy*  
20 *Resources Conservation and Development Commission before the*  
21 *port may receive any funding pursuant to this section for*  
22 *energy-related projects. The commission shall review the plan and*  
23 *require any changes before approving the plan.*

24 *(3) The energy plan shall adhere to the state's preferred energy*  
25 *loading order and require benchmarking for energy retrofit*  
26 *projects and reporting of measurable energy savings.*

27 ~~(d)~~

28 (e) Moneys appropriated to the state board from the Greenhouse  
29 Gas Reduction Fund, established pursuant to Section 16428.8 of  
30 the Government Code, for the purposes of paragraph (1) of  
31 subdivision (c) of Section 39712 may be used for the purposes of  
32 this section.